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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|--|-----------------------|------------------------|
| 10/789,909 | 02/27/2004 O P E S C 123 JUL 29 2004 PATENT & TRADEMARK OFFICE | Karapet Ablabutyan | 23451-042 |

36614
 MANATT PHELPS AND PHILLIPS
 ROBERT D. BECKER
 1001 PAGE MILL ROAD, BUILDING 2
 PALO ALTO, CA 94304

CONFIRMATION NO. 8918
FORMALITIES LETTER



OC000000012773177

Date Mailed: 05/25/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1.
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 3A - 3E.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

07/30/2004 MAHMED1 00000046 501847 10789909

01 FC:1051 130.00 DA

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

BINH

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

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FEE TRANSMITTAL

JUL 29 2004
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 I declare claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known

| | |
|----------------------|--------------------|
| Application Number | 10/789,909 |
| Filing Date | 02/27/2004 |
| First Named Inventor | Karapet Ablabutyan |
| Examiner Name | 3652 |
| Art Unit | Not Assigned Yet |
| Attorney Docket No. | 23451-042 |

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

| | |
|------------------------|------------------------------|
| Deposit Account Number | 50-1847 |
| Deposit Account Name | Manatt Phelps & Phillips LLP |

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee | Fee | Fee Description | Fee Paid |
|--------------------|--------------|-------------|-----|------------------------|----------|
| Code | Code | \$ | \$ | | |
| 1001 | 2001 | 770 | 385 | Utility filing fee | |
| 1002 | 2002 | 340 | 170 | Design filing fee | |
| 1003 | 2003 | 530 | 265 | Plant filing fee | |
| 1004 | 2004 | 770 | 385 | Reissue filing fee | |
| 1005 | 2005 | 160 | 80 | Provisional filing fee | |
| SUBTOTAL(1) | | (\$) | | 0.00 | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | | Fee from below | Fee Paid |
|--------------------|---------|-----------------|----------|
| Total Claims | -20** = | [] X [] = [] | |
| Independent Claims | -3** = | [] X [] = [] | |
| Multiple Dependent | | [] = [] | |

| Large Entity | Small Entity | Fee Description | | | |
|---------------------|--------------|-----------------|--|-------------|--|
| Fee Code | Fee Code | \$ | | | |
| 1202 | 2202 | 18 9 | Claims in excess of 20 | | |
| 1201 | 2201 | 86 43 | Independent claims in excess of 3 | | |
| 1203 | 2203 | 290 145 | Multiple dependent claim, if not paid | | |
| 1204 | 2204 | 86 43 | ** Reissue independent claims over original patent | | |
| 1205 | 2205 | 18 9 | ** Reissue claims in excess of 20 and over original patent | | |
| SUBTOTAL (2) | | (\$) | | 0.00 | |

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | 130.00 |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

(Complete if applicable)

| | | | | |
|-------------------|-----------------|-----------------------------------|--------|--------------------------|
| Name (Print/Type) | Jinntung Su | Registration No. (Attorney/Agent) | 42,174 | Telephone (650) 812-1300 |
| Signature | Date 07/26/2004 | | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

American LegalNet, Inc.
www.USCourtForms.com

JUL 29 2004

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

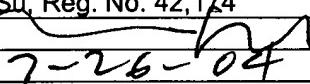
(to be used for all correspondence after initial filing)

| | | | |
|--|--|------------------------|--------------------|
| | | Application Number | 10/789,909 |
| | | Filing Date | 02/27/2004 |
| | | First Named Inventor | Karapet Ablabutyan |
| | | Art Unit | 3652 |
| | | Examiner Name | Not Assigned Yet |
| Total Number of Pages in This Submission | | Attorney Docket Number | 23451-042 |

ENCLOSURES (Check all that apply)

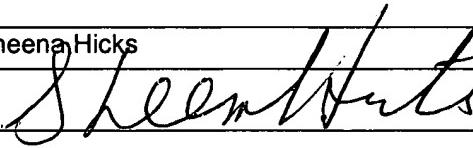
| | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration; Notice to File Missing Parts; Statement Under 37 CFR 3.73(b); Certificate of Mailing; and Return Receipt Postcard. |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | | |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm Or Individual name | Manatt Phelps & Phillips LLP. Jinntong Su, Reg. No. 42,174 |
| Signature |  |
| Date | 7-26-04 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | |
|-----------------------|---|
| Typed or printed name | Sheena Hicks |
| Signature |  |
| | Date 07/26/2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PATENT
Attorney Docket No.: 23426-042

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The patent application of:

Karapet Ablabutyan

Application No.: 10/789,909

Filed: February 27, 2004

For: **LIFT WITH ACTIVE OPENER ARM**

Group Art Unit: 3652

Examiner: Not Assigned Yet

Confirmation No. 8918

Date Mailed: July 26, 2004

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application (Filing Date Granted) mailed May 25, 2004, response to which is due July 25, 2004, enclosed are the following:

1. Declaration;
2. Power of Attorney;
3. Notice to File Missing Parts of NonProvisional Application;
4. Statement Under 37 C.F.R. 3.73 (b); and

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on July 26, 2004
Date of Deposit

Sheena Hicks
Name of Person Mailing Correspondence
Signature 7-26-04
Date

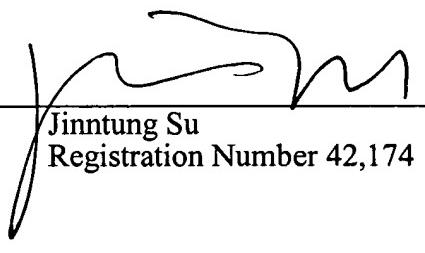
3. Postcard for date-stamped return as confirmation of receipt of these items.

Pursuant to 37 C.F.R. § 1.25(b), the Commissioner is hereby authorized to charge any additional fees to Deposit Account **50-1847** or to credit any overpayment to the same for all matters during the prosecution of this application. This authorization should be treated as a general authorization to charge fees set forth in 37 C.F.R. 1.16 or 1.17 to Deposit Account **50-1847** for the entire pendency of this application. A duplicate copy of this Response is enclosed for deposit charging purposes.

Respectfully submitted,

MANATT, PHELPS & PHILLIPS
Attorneys for Applicants

Date: July 26, 2004

By: 
Jinntung Su
Registration Number 42,174

Manatt, Phelps & Phillips, LLP
1001 Page Mill Road, Building 2
Palo Alto, CA 94304
Phone: 650.812.1300
Fax: 650.213.0260



FIRST CLASS CERTIFICATE OF MAILING

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on July 26, 2004
Date of Deposit

Sheena Hicks

Name of Person Mailing Correspondence

Sheena Hicks
Signature

7-26-04
Date

20115600.1

Serial/Patent No. 10/789,909 Filing/Issue Date: February 27, 2004
Client: Maxon Lift Corporation
Inventor(s): Karapet Ablabutyan
Title: LIFT WITH ACTIVE OPENER ARM
MPP File No.: 23451-042 Atty/Secty Initials: JSu/sh
Date Mailed: July 26, 2004 Docket Due Date: _____

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- Response to Notice of Missing Parts (2 pgs.)
- Notice to File Missing Parts (2 pgs.)
- Declaration (2 pgs.)
- Statement Under 37 C.F.R. 3.73 (b) (1 pg.)
- Power of Attorney (1 pg.)
- Transmittal Letter, in duplicate (1 pg.)
- Fee Transmittal, in duplicate (1 pg.)
- Certificate of Mailing (1st Class Mail) (1 pg.)
- Authorization to Charge Deposit Account 50-1847
- Return Receipt Postcard

Other: _____